

# EXHIBIT B

## Akiva Cohen

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**From:** Akiva Cohen  
**Sent:** Tuesday, December 6, 2022 9:29 PM  
**To:** Geoffrey G. Grivner  
**Cc:** Levine, James H.S.; Mike Dunford; Kathryn Tewson; Dylan Schmeyer; Deborah Gaynor; Patrick Keane; Kody M. Sparks; sbrauerman; Ronald Golden  
**Subject:** Re: 408 Settlement Communication

Geoff,

We are OK with this. But I want to make sure that your clients are fully aware that Deirdre is functionally looking at contributing nuisance value here, not anything particularly significant. If your clients are willing to engage on that basis, then a stay to see if this can get resolved makes sense. If not, then we should just continue pushing forward and get this finished.

Sent from my T-Mobile 5G Device  
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**From:** Geoffrey G. Grivner <geoffrey.grivner@bipc.com>  
**Sent:** Tuesday, December 6, 2022 8:06:46 PM  
**To:** Akiva Cohen <acohen@kusklaw.com>  
**Cc:** Levine, James H.S. <James.Levine@Troutman.com>; Mike Dunford <mdunford@kusklaw.com>; Kathryn Tewson <ktewson@kusklaw.com>; Dylan Schmeyer <dschmeyer@kusklaw.com>; Deborah Gaynor <dgaynor@kusklaw.com>; Patrick Keane <patrick.keane@bipc.com>; Kody M. Sparks <kody.sparks@bipc.com>; sbrauerman <SBrauerman@bayardlaw.com>; Ronald Golden <rgolden@bayardlaw.com>  
**Subject:** 408 Settlement Communication

Akiva/Steve,

I understand the parties are interested in discussing a resolution of this matter and that a withdraw of our Motion for Clarification and related filings may be necessary to facilitate such discussions. We do believe that a stipulation staying all proceedings (without withdraw of prior filings) will adequately facilitate such discussions, but we have also drafted the attached for your consideration. Please let me know if we can agree to a general stay of all proceedings, or if the attached proposed documents will be necessary to fully satisfy the interests of the parties. We are happy to arrange a meet and confer to discuss further.

Regards,

Geoff

## Geoffrey Grivner

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**Buchanan Ingersoll & Rooney PC**

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**From:** Akiva Cohen <acohen@kusklaw.com>  
**Sent:** Thursday, December 1, 2022 4:49 PM  
**To:** Geoffrey G. Grivner <geoffrey.grivner@bipc.com>  
**Cc:** Levine, James H.S. <James.Levine@Troutman.com>; Mike Dunford <mdunford@kusklaw.com>; Kathryn Tewson <ktewson@kusklaw.com>; Dylan Schmeyer <dschmeyer@kusklaw.com>; Deborah Gaynor <dgaynor@kusklaw.com>  
**Subject:** FW: Distribution of funds

[This Email Originated From [acohen@kusklaw.com](mailto:acohen@kusklaw.com) Which Is External To The Firm]

Geoff,

This type of harassing insanity is not going to move the ball forward. Neither is filing a frankly sanctionable new motion by letter, without meet and confer, asking for affirmative TRO relief that had never previously been requested, on the basis of a payment that the Court specifically refused to enjoin.

What in the world are you guys thinking?

You can let Earl know that Deirdre now has his email blocked and should not bother with further communications. I understand your desire to lean on the 1 of the 3 CBV principals apparently still on board with your firm's litigation strategy, but this is ridiculous.

Be well,

Akiva M. Cohen  
[Kamerman Uncyk Soniker & Klein](#)  
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New York, NY 10019  
212-400-4930

**From:** Earl Hennenhoefer <[earl@hennenhoefer.org](mailto:earl@hennenhoefer.org)>  
**Subject:** Distribution of funds  
**Date:** Dec 1, 2022 at 1:37 PM  
**To:** [dleane@icloud.com](mailto:dleane@icloud.com)

Deirdre

It came to my attention that you received the funds for your Arbitration Award contrary to the agreement in both the PPA and the RRC. This action **requires** CBV's pre-approval before funds would be distributed. As a result, our attorneys feel obligated to inform the court of this action.

CBV has been involved in this legal action for the last seven years and has yet to receive its fair share of the settlement as documented in the PPA. I would like to get the matter resolved.

Please give me your response on this matter.

Earl Hennenhoefer  
President and CEO CBV

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